

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL UTHOFF,

Plaintiff,

08 Civ 1886 (PKC)

-against-

GOLDEN CAB CORP., et al.,

Defendants.
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DATE FILED: 4/25/08

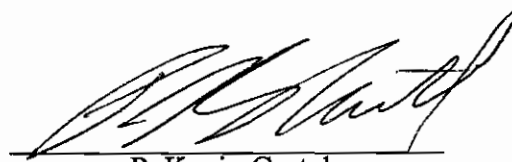
ORDER

P. KEVIN CASTEL, U.S.D.J.:

On February 26, 2008, this action was removed from Supreme Court of the State of New York, New York County by defendant Golden Child Cab Corp. Section 1441(b) of title 28 does not permit removal by a citizen of the state in which the action is brought. Thus, except in the circumstances described in section 1441(e)(1), an in-state resident cannot remove a case to federal court invoking diversity jurisdiction.

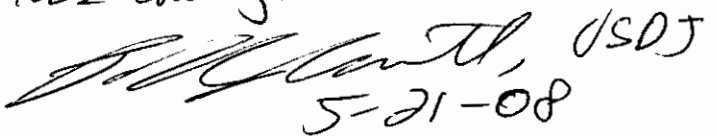
Let the parties show cause in writing no later than May 2, 2008 at 5 p.m. faxed to Chambers, why this action ought not be remanded to the state Court from which it was removed.

SO ORDERED.


P. Kevin Castel
United States District Judge

New York, New York
April 25, 2008

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remanded
No showing having been made why the action ought not be remanded, the action is REMANDED to Supreme Court, State of New York, New York County. SO ORDERED.
 P. Kevin Castel, USDJ
5-21-08